

State of California
California Regional Water Quality Control Board
Colorado River Basin Region

MINUTES OF BOARD MEETING

Thursday, May 19, 2017, 9:00 a.m. to 12:30 p.m.
California Regional Water Quality Control Board
Colorado River Basin Region
73-720 Fred Waring Drive
Palm Desert, CA 92260

CALL TO ORDER

The California Regional Water Quality Control Board, Colorado River Basin Region, was called to order by Chair Nancy Wright at 9:00 a.m. on May 19, 2017, in Palm Desert, California.

PLEDGE OF ALLEGIANCE

ROLL CALL (Board Members only)

Buford Crites, Tom Davis, Hidali Garcia, Ed Muzik, Jayne Powell, and Nancy Wright were present.

The Board Clerk stated that a quorum was present.

Regional Water Board Counsel: Adriana Nuñez

State Water Board Liaison: Joaquin Esquivel

Regional Board Staff Present:

Jose Angel, Frank Gonzalez, Mary Castaneda, Abdi Haile, Doug Wylie, Jose Cortez, Abid Khalaf, Kai Dunn, Jeong-Hee Lim, Nadim Shukry-Zeywar, Francisco Costa

Others Present:

Steve Bigley, CVWD
Wilfred Gonzalez, CVWD
Marcus Fuller, City of Palm Springs
George Field, Black Meadow RV Park
Lori Field, Black Meadow RV Park
Lily Garcia
Savat Khamphou, City of Palm Springs
Steve Johnson, DWA

MINUTES

1. Minutes of March 9, , 2017 Board Meeting

MOTION: Buford Crites moved, Tom Davis seconded, and the motion was carried unanimously to adopt Minutes.

PUBLIC FORUM

2. There were no public comments.

UNCONTESTED ITEMS

3. R7-2017-0006 National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements for the Coachella Valley Water District, Mid-Valley Water Reclamation Plant No. 4 – Thermal, CA, Riverside County (Renewal)
[Jeong-Hee Lim, PhD, P.E.]

Ms. Wright pulled this item from the Uncontested Calendar because the Discharger submitted written comments objecting to certain key provision in the proposed permit, and requested to be heard about the proposed permit, before the Board acted on the permit.

Ms. Lim provided a presentation on the proposed renewed NPDES permit, for Coachella Valley Water District (CVWD) Water Reclamation Plant No. 4. She stated that the Board received written comments from the Discharger and that staff had responded to the comments in writing. Copies of the Discharger's comments and the staff's response were provided to the Board before and during the presentation. She provided background information on the Plant, technical information regarding toxicity, including using the Whole Effluent Test (WET) and using a new statistical approach called a Test of Significant Toxicity (TST) for determining effluent toxicity. She explained that the proposed permit, if adopted, would require the Discharger to use the TST to analyze its data to determine effluent toxicity, instead of the WET, because the TST was a much simpler way to analyze toxicity data. Further, she mentioned that the proposed permit would include more stringent limits for total suspended solids (TSS).

The Discharger expressed concerns about the proposed more stringent limitations for TSS, language regarding the Pollutant Minimization Plan, and replacing the WET with the TST for determining toxicity. Regional Water Board staff responded that the proposed revised TSS limits were based on Title 40 of the Code of Federal Regulations and actual Plant performance data; and that the language for the PMP was based verbatim on the State Water Resources Control Board's State Implementation Plan. Several Board members had further questions about the differences between the WET and TST methodology for analyzing the data and about the proposed TSS limitations. Mr. Lim responded [and Mr. Angel emphasized] that USEPA and State Water Board were recommending using the TST instead of the WET because it is simpler than the WET and provides better water quality protection. Mr. Crites questioned why staff was not recommending establishing full secondary effluent TSS limits [as opposed to equivalent to secondary effluent limits]. Mr. Angel responded that he was not sure [as flows continue to increase at the Plant] at what point the Discharger's treatment system could not meet full secondary limits. Mr. Angel also explained the qualitative differences between the current and proposed TSS limits and added that the WET analysis sometimes results in toxicity going undetected.

Mr. Angel requested and the Board granted a 5-minute recess so he could confer with Counsel regarding the approach used by the [San Diego Regional Water Board] for considering other factors when using the TST approach. Following the recess, Ms. Nunez offered an Errata to revise language for TST in the proposed permit so that it considered other factors for determining toxicity. Mr. Angel read the proposed change for the record. The Discharger was provided with an opportunity to review the proposed change and

commented on it as well. The Board further modified the proposed Errata to make it clearer that it will consider other factors in determining toxicity. Ms. Nunez read the revised Errata into the record.

MOTION: Buford Crites moved, Hidali Garcia seconded that the proposed permit be adopted with the Erratas. A roll call vote of Board Members was taken: Ayes: Ms. Wright, Mr. Crites, Ms. Powell, Mr. Muzik and Ms. Garcia, Noes: Zero, Mr. Davis recused himself. The motion was carried to adopt Board Order R7-2017-0006 with Erratas.

4. R7-2017-0010 Rescission of the National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements for McCabe Union School District, Municipal Wastewater Treatment Plant, El Centro, Imperial County for discharges to the Wildcat Drain
[Jeong-Hee Lim, PhD, P.E.]

MOTION: Buford Crites moved, Ed Muzik seconded, and the motion was carried unanimously to adopt Board Order R7-2017-0010.

5. R7-2017-0013 Waste Discharge Requirements for City of Palm Springs, Owner, Veolia West Water Operating Services, Inc. Operator, Palm Springs Wastewater Treatment Plant, Palm Springs, Riverside County
[Jose Cortez, P.E.]

MOTION: Mr. Angel requested and Ms. Wright agreed that this Item be removed from the Agenda because the Discharger submitted extensive written comments expressing concerns about the proposed WDRs and Regional Water Board staff needed more time to respond to the comments.

6. R7-2017-0014 Waste Discharge Requirements for George Field Jr. and Lori Feld, Owner/Operator, U.S. Bureau of Land Management, Landowner Black Meadow Landing Septic Tank/Evaporation – Percolation Pond Disposal Facilities, Parker Dam, San Bernardino County
[Abid Khalaf]

Ms. Wright removed this Item from the Uncontested Calendar because the Discharger was objecting to key provisions in the WDRs and requested to be heard before the Board acted on the WDRs. Doug Wylie provided a presentation on this tentative Board Order and its Errata. He provided an overview of the Discharger's wastewater treatment and disposal system and hydrological conditions. He pointed out that the main changes in the proposed WDRs as compared to the existing WDRs were that the proposed WDRs require: (1) increased monitoring frequency for certain constituents/parameters; (2) that the amount of wastewater discharged to the evaporation/percolation ponds be measured, instead of estimated; and (3) submittal of a technical report addressing development and implementation of an outreach and education program for RV owners on harmful chemical usage. Further, he contrasted the current monitoring with the proposed monitoring and provided costs estimates for implementing the new metering and monitoring requirements.

Mr. Field expressed concerns about the cost of the proposed monitoring, including the cost of installing a meter to comply with the WDRs. He also questioned whether the new requirements were actually necessary because its site has been in consistent compliance

with the WDRs. He was concerned that he could not afford this added expense for the meter and the additional cost that he would have to incur for the increase monitoring [and remain in business].

Several Board members questioned the accuracy of the Regional Water Board staff's cost estimate for installing the meter and whether a "technical" report [as opposed to just a report] was actually needed for the outreach and education plan. In response to Mr. Crite's questions about the proposed monitoring, Mr. Angel explained why staff was recommending monitoring for the effluent discharged to and for the wastewater in the ponds. Mr. Angel also expressed concerns about the cost for the meter. Mr. Davis' questioned why staff could not draft a letter for the Discharger to assist it implement the outreach and education Program. Mr. Angel stated that staff could and should assist the Discharger with the report and to develop and implement a more technically sound method for estimating the flow discharged to the ponds. Based on the foregoing discussions, Mr. Angel recommended that the proposed requirement to measure the flow discharged to ponds (Item 13, on page 3 of the proposed Monitoring and Program) be eliminated and in lieu of it require that the flow be estimated monthly, using a method subject to the approval of the Executive Officer. He also recommended that Item 14 require monitoring for Volatile Organic Constituents [quarterly] for one year.

MOTION: Ed Muzik moved, Jayne Powell seconded, and the motion was carried to adopt Board Order R7-2017-0014 with Errata and changes proposed by Mr. Angel. Ms. Garcia and Mr. Davis did not participate on this item.

RESOLUTION

7. R7-2017-0022 Requesting the Federal Government Take Immediate and Decisive Action to Ensure Mexico Eliminates Bypasses of Raw Sewage from Mexicali into the New River
[Jose L. Angel, P.E.]

Mr. Angel presented the Resolution and the reasons why Regional Water Board staff was recommending the Board adopt it. He brought to the Board's attention the deteriorated condition of the sewage infrastructure in Mexicali—a problem estimated to cost \$80 million to fix. He mentioned that with close to \$500,000 Mexico can substantively eliminate bypasses or raw sewage. Mr. Crites questioned why the Resolution did not speak to the lack of maintenance equipment for the infrastructure. Mr. Angel responded that it did not address it because he did not know whether Mexico is going to be able to get the \$80 million to fix the problem. If the US helps Mexico to get the money, Mr. Angel stated that Ms. Wright and he already recommended to USEPA, NADBank/BECC, and the USIBWC [on April 19, 2017] to put strings attached to the money so Mexico provides adequate operation and maintenance.

MOTION: Buford Crites moved, Ed Muzik seconded, and the motion was carried to adopt Resolution R7-2017-0022. Ms. Garcia and Mr. Davis did not participate on this item.

OTHER BUSINESS

8. Informational Update: New River Improvement Project
[Frank Gonzalez, P.E.]

Mr. Gonzalez provided the Board members with a handout with update on the New River Improvement Project.

9. Informational Update: State Water Resources Control Board Activities
[Adriana Nuñez]

Ms. Nunez reported that the Enforcement policy was adopted by the State Board, and the Enforcement staff has offered to provide some training on what that entails.

10. Colorado River Basin Water Board Executive Officer's Report
[Jose L. Angel, P.E.]

Mr. Angel reported that he phased in and submitted a monthly EO report, which was sent electronically to the Board members. He also reported that:

- The Binational Technical Committee meeting was going to be held next week
- The meeting Ms. Wright, Mr. Gonzalez, and he attended on April 19, 2017, with USEPA, USIBWC, NADBank/BECC, CalEPA and others to discuss the bypasses of raw sewage from Mexicali was very useful. USEPA pledged to work with Mexico to put together a package that qualifies for funding the emergency equipment.
- He and Mr. Gonzalez attended a meeting with representatives from Imperial County, Imperial Irrigation District, City of Calexico, and CalEPA to discuss the New River Improvement Project. The meeting was organized by CalEPA Deputy Secretary Kleysteuber and held in Calexico on May 18, 2017.

He concluded his report by also thanking Ms. Serra, who is retiring within several months, for her contributions to the mission of the organization.

11. Colorado River Basin Water Board Member Comments

Mr. Muzik reported that the Yucca Valley Sewer Project is underway. They have put in over 42,000 ft. of sewer pipe, which is almost eight miles. They plan to break ground on the Treatment Plant within three or four months.

12. Colorado River Basin Water Board Chair's Report

Ms. Wright expressed her thanks and appreciation to Mary Serra, Supervising WRCE, on her years of service and wishes her well on her retirement. Board members echoed Ms. Wright's thanks and wished Ms. Serra well.

CLOSED SESSION

13. There was no closed session.

ADJOURNMENT OF BOARD MEETING

The meeting was adjourned at 12:30 p.m.

NEXT BOARD MEETING: 9:00 a.m., June 30, 2017, Palm Desert, CA.